

Marine Region Program Descriptions and Key Measurable (Planned) Objectives

Program: **Marine Region Management**

Project: **Marine Regulatory Unit**

The Marine Regulatory Unit (Unit) is responsible for developing regulations that appear in Title 14 of the California Code of Regulations (CCR) and statutes that appear in the Fish and Game Code relative to marine fisheries. The Unit produces all supporting documentation required by the Administrative Procedure Act to reflect actions taken by the Commission relative to marine sport or commercial fishing. Staff performs analyses, prepares reports and presents findings and recommendations to the Commission to aid in the decision making process.

Staff also works in close contact with Department policymakers regarding current marine fishery issues at the state and federal level, with the goal of converting policies into laws and regulations. Staff also interacts closely with stakeholders, the Commission staff, other state and federal agency representatives and Marine Region field and Enforcement staff on development of regulatory text.

Budgeted Resources Dedicated to the Project: This project includes one position and a Personal Services budget of \$89,370, which is already included in the total Personal Services budget for the Marine Region Management Program.

Key Measurable (Planned) Objectives for FY 2006-07:

Commission decision to allow commercial lobster fishing in the Dana Point Marine Life Refuge:

- I. Initial Statement of Reasons (ISOR) – Drafted proposed regulatory language, provided the reasons for the proposed regulatory change, and provided an analysis of economic impacts. Also included were reviews of the Legislative and Regulatory history for the Dana Point area and changes in Legislative history regarding Marine Protected Areas (MPA).
- II. Pre-Adoption Statement of Reasons (PSOR) – Documented public comments received to date, and provided the Department's responses to these comments.
- III. Final Statement of Reasons (FSOR) – Summarized the action taken by the Commission at the adoption hearing, prepared final regulatory text, documented additional public comments received, and the Department's responses to these comments.

Commission decision to establish a Non-Transferable Market Squid Light Boat Permit and to update and incorporate Squid Logbooks into Title 14. Additional Commission decision was made NOT to increase squid permit fees to cover Department costs for squid.

- I. Initial Statement of Reasons – Draft proposed regulatory language, provide the reasons for the proposed regulatory change, work with License and Revenue Branch (LRB) to create the new permit and provide a comprehensive cost estimate for Department work to monitor and manage the squid fishery and implement the commercial permit program. Work with biological staff on logbook forms. Department shortfalls of about \$800,000 annually support a fee increase, although the Commission rejected the Department's request to take this action. Also included was a brief review of the history of the squid Restricted Access program and non-transferable permits.
- II. Pre-Adoption Statement of Reasons
- III. Final Statement of Reasons
- IV. Presentations to the Commission at scheduled meetings and subcommittees, and handout materials as requested

Changes to recreational groundfishing regulations for 2007 and 2008

- I. Initial Statement of Reasons – Draft proposed regulatory language amending and adding about 30 sections of Title 14, and assess economic impacts. The sport groundfish regulations must change in response to changes in the federal rules effective for January 1, 2007.
- II. Pre-Adoption Statement of Reasons
- III. Final Statement of Reasons
- IV. Presentations to the Commission at scheduled meetings and subcommittees

Triennial review of sportfishing regulations

- I. Evaluate, summarize and respond to 42 public proposals for changes to existing regulations (develop summary table)
- II. Evaluate and draft regulatory documents for four Marine Region proposed regulatory items (ISOR, PSOR, FSOR documents – 12 in total):

- a. Changes to Pacific halibut size and season regulations
 - b. Clarify regulations regarding sport take of squid
 - c. Repeal a regulation regarding “brown skinned rockfish fillets”
 - d. Clarify regulations regarding take of crustaceans by hand
- III. Draft ISOR, PSOR, and FSOR documents for two public proposals accepted by the Department:
 - a. Sport Dungeness crab season opening dates
 - b. Sport Dungeness – theft of crabs from sport traps
- IV. Assist IFD/Bay Delta and LRB efforts to draft regulatory documents supporting implementation of a sturgeon report card program, changes to the slot limit, establishment of an annual limit and tagging procedures.
- V. Coordinate with Marine Region efforts to produce supplemental CEQA documents on marine sportfishing.
- VI. Presentations to the Commission at scheduled meetings and subcommittees

Assist Enforcement Division with the following:

- I. Draft paperwork (ISOR, PSOR, FSOR) supporting Commission actions to amend existing regulations relative to commercial rock crab fishing.
- II. Review enforcement’s proposed changes to legislation
- III. Work with legal counsel to resolve issues relative to authority – determining whether Enforcement’s changes proceed in Code or in Regulations.

Establish sport bag limits for albacore and bluefin tuna

- 1. Draft paperwork (ISOR, PSOR, FSOR) supporting Commission action on this item, following actions by the PFMC.

Establish a permit fee for California Halibut Trawl Permits

- I. Draft paperwork (ISOR, PSOR, FSOR) supporting Commission action on this item, following recommendations by the Department on an appropriate fee level.
- II. Work with LRB to establish the fee within the existing permit program

Ongoing review of Commission Policy on Restricted Access Fisheries

- I. Prepare analyses or documents as requested by Directorate, Commission or Marine Region management
- II. Presentations to the Commission at scheduled meetings and subcommittees as needed

Firefighting and Mop-Up Duties: Deal with budget proposals, litigation, and prepare other items at the request of management, Directorate or Commission on any issue relating to marine regulations or statutes.

Hire and train an Associate Governmental Program Analyst to assist incumbent with duties as described above.

Key Measurable (Planned) Objectives for FY 2007-08:

1. Continue all items above from 2006-07 until completion, or as needed.
2. Establish a fillet size limit for California sheephead to correspond with the existing minimum size limit, and/or establish other regulations following a new stock assessment.
3. Draft paperwork (ISOR, PSOR, FSOR) supporting Commission actions
4. Modify existing commercial trip limits for cabezon
 - Draft paperwork (ISOR, PSOR, FSOR) supporting Commission actions; and/or establish new rules consistent with PFMC actions.
5. Modify existing regulations for recreational harvest of sanddabs and other flatfish species, consistent with PFMC actions.
 - Draft paperwork (ISOR, PSOR, FSOR) supporting Commission actions; and/or establish new rules consistent with PFMC actions.
6. Other rulemaking activity as directed (herring, squid, halibut, commercial groundfish, etc).